



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,694	12/04/2003	Roy Hirst	MS305475.1/MSFTP492US	8657
27195	7590	03/24/2008		
AMIN, TUROCY & CALVIN, LLP			EXAMINER	
24TH FLOOR, NATIONAL CITY CENTER			LUDWIG, MATTHEW J	
1900 EAST NINTH STREET				
CLEVELAND, OH 44114			ART UNIT	PAPER NUMBER
			2178	
			NOTIFICATION DATE	DELIVERY MODE
			03/24/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

doCKET1@thepatentattorneys.com

hholmes@thepatentattorneys.com

osteuball@thepatentattorneys.com

Office Action Summary

Application No.

10/727,694

Applicant(s)

HIRST, ROY

Examiner

MATTHEW J. LUDWIG

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 7-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 7-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is in response to the amendment received 12/21/2007.
2. Claims 1-4 and 7-28 are pending in the application. Claims 1, 19, 20, 27, and 28 are independent claims.
3. Claims 1-4 and 7-28 rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrari in view of Bailey have been withdrawn pursuant to applicant's amendment.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1-4 and 7-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Denning Pat. Pub. No 2002/0123915 filed 3/1/2001.**

In reference to independent claim 1, Denning teaches:

'a quality component that tracks one or more quality metrics associated with one or more items' (See page 4, [0046].) The reference provides a web page used with the system for entering and tracking metrics related to items.

'a rules engine that automatically applies the quality metrics to the items to facilitate interactive quality assessments of the items and bulk remediation of a quality problem across disparate items, the bulk remediation includes at least one of modifying or updating content of the one or more items' (See page 4, [0043 through 0047].) The reference illustrates in figure 10 a

means for a user to visualize the metrics and promotes interactive quality assessments of items and bulk remediation of a problem across disparate items.

'a scoring component that automatically ranks the items based at least in part on the interactive quality assessments of the items' (See figure 10 and page 4, [0043 through 0047]).

The reference illustrates a count which provides a similar function for ranking specific trends.

'at least one filter that analyzes quality scores in view of a predetermined threshold of quality, the at least one filter extracts attributes from an item with a score that exceeds the predetermined threshold and automatically applies the attributes to the remaining items' (See figure 10 and page 4, [0039 through 0047]). The reference illustrates the result of filtered criteria and predetermined thresholds of aircraft components. Specific information is extracted and utilized in figure 10 to present a user with trend analysis related to nonconformance data.

In reference to dependent claim 2, Denning teaches:

An interface used to track one or more metrics associated with a plurality of items. See figure 9-10 and page 4, [0045 through 0047].

In reference to dependent claim 3, Denning teaches:

A web page is presented to a user and utilized with the system for illustrating nonconformance trends. See page 4, [0045 through 0047].

In reference to dependent claim 4, Denning teaches:

Server utilizes a number of applications to store, update, retrieve, or download nonconformance and/or component repair information. Figures 4-10 illustrate a means of providing feedback from users, ranking to determine nature of an issue with the items and to

enable remedial actions to be taken in order to improve quality of a document set. See figures 4-10.

In reference to dependent claim 7, Denning teaches:

A web page is displayed when a user preparing to enter dispositions searches system using filter criteria to retrieve relevant historical content for a specific component and a specific nonconformance characteristic. See page 4, [0039 through 0040].

In reference to dependent claim 8, Denning teaches:

Several web pages are used with system for approving dispositions. More specifically, web pages provide detailed instructions for dispositions, a column indicating whether a certifying agent is required, and columns for electronic signatures. Additionally, a data column is included and used in trending and metrics. See page 4, [0044 through 0046].

In reference to dependent claim 9, Denning teaches:

The rules are structured according to a programmatic analysis as several web pages are used with system for approving dispositions. More specifically, web pages provide detailed instructions for dispositions, a column indicating whether a certifying agent is required, and columns for electronic signatures. Additionally, a data column is included and used in trending and metrics. See page 4, [0044 through 0046].

In reference to dependent claim 10, Denning teaches:

Entering corrective actions includes text boxes for forwarding corrective action requests to a user and for indicating the sender of the corrective action requests. See page 4, [0045 through 0046].

In reference to dependent claim 11, Denning teaches:

The models as suggested and utilized in figure 10 illustrate a means of classification methods allowing for users to visualize corrective actions and trend analysis based upon nonconformance. See page 4, [0044 through 0047].

In reference to dependent claim 12, Denning teaches:

Figure 10 illustrates a user interface which includes a category component based upon nonconformance data. See figure 10.

In reference to dependent claim 13, Denning teaches:

Figure 10 illustrates a score item displayed and utilized in the diagram illustrating analysis for the last 25 weeks. See figure 10.

In reference to dependent claim 14, Denning teaches:

The approval interface is a work scope field that includes detailed descriptions of the disposition, and if necessary, the repairs to be performed to the nonconforming component. See page 3, [0029].

In reference to dependent claim 15, Denning teaches:

Disposition data is accessible by system and includes information regarding the aircraft component nonconformance, component work scope, component nonconformance disposition status. See page 3, [0028 through 0029].

In reference to dependent claim 16, Denning teaches:

Prior to dispositions being completed, users, suppliers, and customers may concur using an approval interface which includes detailed descriptions of the disposition. A disposition that

requires all parties to confirm a change inherently teaches a global identifier to allow for the corrective action to the item. See page 3, [0028 through 0029].

In reference to dependent claim 17, Denning teaches:

Figure 10 illustrates a user interface which includes a category component based upon nonconformance data and a means of tracking results. See figure 10.

In reference to claims 18-28, the claims recite similar limitations to those found in claims 1-1-4, and 7-17. Therefore, the claims are rejected under similar rationale.

Response to Arguments

6. Applicant's arguments with respect to claims 1-4 and 7-28 have been considered but are moot in view of the new ground(s) of rejection.

Applicant made amendments to the independent claims and in doing so changed the scope of the claimed invention when read as whole. More specifically, the limitation 'bulk remediation includes at least one of modifying or updating content of the one or more items' further narrows the scope of the invention and thus required the rejection to be withdrawn. A newly formed rejection has been added based upon the amendments made to the claims.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MATTHEW J. LUDWIG whose telephone number is (571)272-4127. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Stephen S. Hong/
Supervisory Patent Examiner, Art Unit
2178

ML